

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

YOHAN WEBB,

Plaintiff,

vs.

MIKE STREETER, in his individual capacity; PATTY OSTERHOUSE, in her individual capacity; CRAIG COOPER, in his individual capacity; SASHA WEHRBIN, in her individual capacity; JOSH RAY, in his individual capacity; ANDREW LIGHTHALL, in his individual capacity; ASHTON KROGMAN, in his individual capacity; DAVIS MEYERS, in his individual capacity; WARNER DUTTON, in his individual capacity; and EDO KENIABARIDO, in his individual capacity;

Defendants.

4:21CV3058

MEMORANDUM AND ORDER

This matter is before the court on Plaintiff's Notice of Appeal (filing 166) and a memorandum from the Clerk of the Court requesting a ruling as to Plaintiff's authorization to proceed in forma pauperis on appeal (filing 167). This is Plaintiff's fourth interlocutory appeal in this case.¹ Plaintiff now seeks to appeal the court's April 21, 2022 Memorandum and Order denying his seventh motion for the appointment of counsel. (Filing 163.) For the same reasons set forth in the court's

¹ Plaintiff has filed three previous interlocutory notices of appeal (filings 142, 149, & 154), but only two appeals are currently pending before the Eighth Circuit Court of Appeals. The Eighth Circuit treated Plaintiff's third interlocutory notice of appeal (filing 154) as an amended notice of appeal and docketed it in the same appellate case (No. 22-1785) as his second interlocutory notice of appeal. (See Filing 162.)

April 11, 2022, April 14, 2022, and April 15, 2022 Memorandums and Orders (filings 144, 152, & 156) and pursuant to 28 U.S.C. § 1915(a)(3), the court certifies that the appeal is not taken in good faith because Plaintiff is attempting to appeal from an order that is not appealable.

IT IS THEREFORE ORDERED that: Plaintiff may not proceed on appeal in forma pauperis.

Dated this 5th day of May, 2022.

BY THE COURT:



Richard G. Kopf
Senior United States District Judge